

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

THE STATE OF LOUISIANA

CIVIL ACTION

VERSUS

SANOFI-AVENTIS U.S. LLC, ET AL.

NO. 23-302-BAJ-SDJ

PLAINTIFF'S MOTION TO REMAND

Now into Court, through undersigned counsel, come plaintiff, the State of Louisiana, acting by and through its Attorney General Jeff Landry, who hereby submits the following Motion to Remand pursuant to 28 U.S.C. §1447 as follows:

1. Plaintiff, the State of Louisiana, filed this action in the 19th Judicial District Court, East Baton Rouge Parish, State of Louisiana, case number C-729791, alleging state law causes of action related to Defendants' conspiracy to raise the price of diabetes medications to unconscionable levels. Two of the defendants – Express Scripts Administrators LLC and CaremarkPCS Health LLC – timely removed pursuant to 28 U.S.C. §1442(a) and §1446, claiming federal officer removal jurisdiction. The State of Louisiana now moves for remand pursuant to 28 U.S.C. § 1446 because each of the removing defendants failed to carry its burden to show – with evidence – that each of the four requirements for federal-officer removal is met. And sovereign immunity bars removal in any event.

2. The State of Louisiana incorporates hereto the attached Memorandum In Support of Motion to Remand, which fully sets forth the grounds upon which this Motion to Remand should be granted.

3. WHEREFORE, the State of Louisiana prays for relief in the form of an order GRANTING this Motion and REMANDING this case to the 19th Judicial District Court, East Baton Rouge Parish.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of May, 2023, the foregoing pleading was electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ John Alden Meade

John Alden Meade